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**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

JASON HALPERN,

Plaintiff,

v.

GARY THARALDSON,

Defendant.

CASE NO.: 2:15-cv-02037-JCM-GWF

**MOTION FOR LEAVE TO APPEAR
TELEPHONICALLY AT HEARING ON
PLAINTIFF'S MOTION FOR
EXTENSION OF DISCOVERY
[AND PROPOSED ORDER GRANTING
MOTION]**

Defendant Gary Tharaldson ("Defendant"), by and through his undersigned counsel, hereby requests leave for counsel to appear telephonically at the oral argument hearing on Plaintiff's Motion for Extension of Discovery Deadlines (Dkt. # 40) scheduled for Monday, April 18, 2016, at 1:30 p.m. before the Honorable Magistrate Judge George Foley, Jr. (Dkt. # 41).

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MEMORANDUM OF POINTS AND AUTHORITIES

Plaintiff Jason Halpern ("Plaintiff") filed his Motion for Extension of Discovery Deadlines on April 11, 2016. (Dkt. # 40). The following day, the Court scheduled oral argument on Plaintiff's Motion for Monday, April 18, 2016. (Dkt # 41).

Defendant's lead counsel, Matthew J. Smith, resides in Denver, Colorado, is admitted to practice *Pro Hac Vice* in this case, and is familiar with the facts and issues in this case and the issues presented in Plaintiff's Motion.

Based upon his familiarity with the issues in Plaintiff's Motion, Mr. Smith would prefer to argue on Defendant's behalf. Moreover, Defendant's local counsel has a scheduling conflict due to a prior engagement at the time set for the hearing. In an effort to reduce unnecessary costs associated with traveling to Nevada, counsel requests to appear by telephone in order to facilitate cost effective and efficient representation for Defendant.

Further, the parties will not suffer any prejudice in allowing Mr. Tharaldson's counsel to appear by telephone. Accordingly, Defendant respectfully requests the Court grant his Motion and allow counsel to appear telephonically at the hearing on Plaintiff's Motion for Extension of Discovery Deadlines.

DATED this 13th day of April, 2016

HOLLAND & HART LLP

/s/ Brian G. Anderson

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ORDER GRANTING MOTION FOR LEAVE TO APPEAR TELEPHONICALLY

Upon consideration of the foregoing Motion For Leave To Appear Telephonically At Hearing on Plaintiff's Motion For Extension of Discovery Deadlines, and good cause appearing,

IT IS HEREBY ORDERED that Defendant's Motion is GRANTED and Matthew J. Smith may appear telephonically for the hearing on Plaintiff's Motion for Extension of Discovery Deadlines, which is scheduled for April 18, 2016 at 1:30 p.m. before the Honorable Magistrate Judge George W. Foley, Jr.

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: April 14, 2016

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CERTIFICATE OF SERVICE

Pursuant to Fed. R. Civ. P. 5(b), I hereby certify that on the 13th day of April, 2016, I served a true and correct copy of the foregoing **MOTION FOR LEAVE TO APPEAR TELEPHONICALLY AT HEARING ON PLAINTIFF'S MOTION FOR EXTENSION OF DISCOVERY** by electronic transmission to the parties on electronic file and/or depositing same in the United States mail, first class postage fully prepaid to the persons and addresses listed below:

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